



**MOORE COUNTY PLANNING BOARD
MONDAY, MARCH 5, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

CALL TO ORDER – 6 PM

INVOCATION – (Member Volunteer)

PLEDGE OF ALLEGIENCE – (Member Volunteer)

MISSION STATEMENT – (Member Volunteer)

I. PUBLIC COMMENT PERIOD (*Procedures are attached*)

Please sign up on the Public Comment Sign In sheet near the door

II. APPROVAL OF CONSENT AGENDA

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of February 24, 2020
- C. Consideration of Abstentions

III. PUBLIC HEARINGS

- 1. **Unified Development Ordinance Text Amendments Quarterly Update - Theresa Thompson**

IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger

V. BOARD COMMENT PERIOD - Chairman

VIII. UPCOMING EVENTS

- Tuesday, March 17, 2020 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, April 2, 2020 6:00PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, April 7, 2020 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

III. ADJOURNMENT

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

Please see attached procedures for the Public Comment Period and public comment during Public Hearing

**PUBLIC COMMENT PROCEDURES
MOORE COUNTY PLANNING BOARD**

The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

Adopted on the 4th day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.

MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES

The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

Adopted on the 5th day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board

**MINUTES
MOORE COUNTY PLANNING BOARD
SPECIAL MEETING
MONDAY, FEBRUARY 24, 2020 6:00 PM
MOORE COUNTY HISTORIC COURTHOUSE – 2nd FLOOR**

Board Members Present: Joe Garrison (Chairman), Eddie Nobles, John Matthews, Harry Huberth (Vice Chairman), Bobby Hyman, Jeffrey Gilbert, Matthew Bradley

Board Members Absent: John Cook

Staff Present: Debra Ensminger, Planning Director
Torn Ross, Associate County Attorney
Dervin Spell, Planner
Stephanie Cormack, Administrative Officer

CALL TO ORDER

Chairman Joe Garrison called the meeting to order at 6:00 pm.

INVOCATION

Board Member Matthew Bradley offered the invocation.

PLEDGE OF ALLEGIANCE

Board Member Bobby Hyman led in citing of the Pledge of Allegiance.

MISSION STATEMENT

Board Member Harry Huberth read the Moore County Mission Statement.

PUBLIC COMMENT PERIOD

There was no public comment.

APPROVAL OF THE CONSENT AGENDA

- A. Approval of Meeting Agenda
- B. Approval of Minutes of January 2, 2020
- C. Consideration of Abstentions

Board Member Harry Huberth made a motion for approval of the consent agenda. Board Member Eddie Nobles seconded the motion and the motion passed unanimously 7-0.

PUBLIC HEARING

Public Hearing #1 –General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) - Dervin Spell

Planner Dervin Spell presented a request by Angie English & Jeremy Phillips requesting a General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) of an approximate 2.4 acre parcel located at 17204 NC Hwy 24/27, Biscoe owned by Angie English & Jeremy Phillips, per Deed Book 5239 Page 100.

Mr. Spell went over the items within the packet regarding the request.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

With no further discussion or Public Comment Chairman Garrison closed the public hearing.

With no further comments Board Member Harry Huberth made a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. The motion was seconded by Board Member Bobby Hyman; motion passed unanimously 7-0 for approval.

Board Member Jeffrey Gilbert made a motion to recommend approval to the Moore County Board of Commissioners of the General Use Rezoning from Neighborhood Business (B-1) to Rural Agricultural (RA) of approximately 2.4 acre parcel located at 17204 NC Hwy 24/27, Biscoe. The motion was seconded by Board Member Bobby Hyman; motion passed unanimously 7-0 for approval.

PLANNING DEPARTMENT REPORTS

Ms. Ensminger thanked all the Board Members ability to accommodate the Special Meeting and reminded everyone of the next Planning Board Meeting on March 5th.

BOARD COMMENT PERIOD

Board Chair Garrison thanked staff for their hard work.

ADJOURNMENT

With no further comments Board Member Bobby Hyman made a motion to adjourn the February 24, 2020 regular meeting. The motion was seconded by Board John Matthews and the motion passed unanimously 7-0. The meeting adjourned at 6:15 p.m.

Respectfully submitted by,

Stephanie Cormack

MEMORANDUM TO THE PLANNING BOARD

FROM: Debra Ensminger
Planning and Transportation Director

DATE: January 30, 2020

SUBJECT: Unified Development Ordinance Text Amendments –
Quarterly Update

PRESENTER: Theresa Thompson

REQUEST

Moore County Planning Staff is requesting the below text amendment to the Moore County Unified Development Ordinance:

Bold Text – additions to the ordinance
~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 3 (Intent of Zoning Districts), Section 3.13 (Parallel Conditional Zoning Districts), as follows:

The Conditional Zoning District creates a stand-alone district with its own unique conditions and is not subject to the minimum standards of the Unified Development Ordinance. For the general use zoning districts described in this section there are established parallel Conditional Zoning Districts. Conditional rezoning affords a degree of certainty in land use decisions not possible when rezoning to a general district. **Conditional Zoning Districts rezoning is a legislative procedure under which the Board of Commissioners has the authority to modify general development and/or specific use standards.** Conditional Zoning Districts are established to provide for flexibility in the development of property **that is not possible through the strict application of the minimum standards of this Ordinance** while ensuring that the development is compatible with neighboring uses, **not contrary to the public interest, and is consistent with the spirit and objectives of this Ordinance.**

REASON. Clarifies that conditional zoning districts are not subject to the minimum standards of the Unified Development Ordinance.

2. ADD Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
PRODUCTION																
Manufacturing & Sales, Pottery									P		P	P	P	P	8.92	F

REASON. Staff recommends adding “Pottery Manufacturing & Sales” as a permitted use in the Rural Agricultural Zoning District and commercial zoning districts to support the pottery community of Moore County.

3. AMEND Chapter 7 (General Development Standards), 7.15 (Signs), Subsection K. (Electronic Changeable Message Signs), as follows:

K. Electronic Changeable Message Signs. Shall ~~only~~ be permitted in the Village Business (VB), Neighborhood Business District (B-1), and Highway Commercial (B-2) zoning districts. Advertising messages or information shall remain in a fixed, static position for a minimum of 30 seconds. The change sequence must be accomplished within an interval of 2 seconds or less. Electronic changeable message signs shall be setback a minimum of 25 feet from any property used or zoned for residential purposes. **Additionally, electronic changeable message signs are permitted at religious institutions or governmental / public agencies located in a residential zoning district.**

REASON. Allows churches to have electronic changeable message signs.

4. AMEND Chapter 8 (Specific Use Standards), Section 8.12 (Home Occupation, Level 2), Subsection B (Standards), as follows:

Standards. 1 home occupation shall be permitted per lot. Level 2 Home Occupations shall be limited to a maximum of 50% of the gross floor area of the principal building, the entirety of an accessory building, or a combination thereof. The operator of the home occupation must reside on the same lot as the operation. More than one individual, not a resident of the dwelling may be employed. The specific use to be operated as the home occupation must comply with the specific uses standards, signage, parking, outdoor storage, screening, and other applicable regulations. The following uses are those that have been determined to be suitable as a Level 2 Home Occupation:

1. Animal Shelters
2. Kennels, Overnight
3. Pet Day Care, Grooming, Obedience Training

4. Small Appliance Repair Shop (may include outdoor storage)
5. Trade Contractor Office and Workshop (may include outdoor storage)
6. Feed and Seed Sales
7. Florist
8. Garden Center
9. Taxi Service
10. Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV - Sales, Rental, Service
11. Child Care Facility (**for accessory buildings only**)
12. Recreation, Low Impact Outdoor

REASON. Clarifies that “Child Care Home Facility” is a separate use.

5. AMEND Chapter 8 (Specific Use Standards), Section 8.71 (Religious Institutions), Subsection B (Accessory Uses), as follows:

Accessory Uses. Includes pastor’s housing, Sunday school buildings, recreational buildings utilized by congregation only, fellowship halls, food pantry, child care facility, school, coffee house, bible school, and after-school facilities. Child care facilities shall meet the **applicable specific use** standards ~~per Section 8.63~~ and shall submit a copy of state licenses before a Certificate of Occupancy is issued. Schools located on the same lot as the church and located in residential zoning districts shall require a Conditional Use Permit and meet the Specific Use Standards ~~per Section 8.71~~.

REASON. Removes section numbers due to being subject to changes.

6. ADD Chapter 8 (Specific Use Standards), Section 8.92 (Pottery Manufacturing & Sales), as follows:

A. Definition. The process of forming objects with clay and other ceramic materials.

B. Standards. Potteries may be a principal use or an accessory use to residential or agricultural uses. Potteries may include teaching workshops, studios, galleries, and retail sales.

REASON. Staff recommends adding “Pottery Manufacturing & Sales” as a permitted use to support the pottery community of Moore County.

7. AMEND Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection E (UDO Compliance), as follows:

UDO Compliance. The request shall be in compliance with all relevant portions of the UDO, except that variations from these standards may be approved by the Board of Commissioners if the site plan is submitted and determined to be suitable for the request, is consistent with the

intent of the **specific use** standards, and ensures compatibility with land uses on surrounding properties.

REASON. Clarifies standards to mean “specific use” standards.

8. AMEND Chapter 19 (Definitions), Section 19.2 (Definitions), (Lot of Record, Nonconforming) as follows:

Lot of Record, Nonconforming. A lot, the area, dimensions, or location of which was duly recorded **pursuant to statute** in the Office of Register of Deeds, **lawfully** existing at the effective date of this ordinance or prior freestanding zoning and subdivision ordinances that cannot meet the minimum size and/or lot width requirements of the district in which the lot is located.

REASON. Clarifies that nonconforming lots of record should have been legally existing at the effective date of this ordinance or prior freestanding ordinances.

CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board’s review and consideration.

RECOMMENDATION

Staff recommends the Moore County Planning Board make two separate motions:

Motion #1: Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 153A-341.

Motion #2: Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

ATTACHMENTS

- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial



MOORE COUNTY

Proposed Text Amendments to the Unified Development Ordinance; Chapter 3 Section 3.13 (Parallel Conditional Zoning Districts) and Subsequent Amendments to Chapters 6, 7, 8, 11 and 19

February 21, 2020

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed all the proposed text amendments, in particular Chapter 3 Section 3.13, for the Moore County Unified Development Ordinance and find no conflicts with the recommendations contained in the recently completed and adopted 2018 Fort Bragg Joint Land Use Study.

Thank you for allowing RLUAC the opportunity to review these proposed changes.

John K. McNeill, Chairman

Pete Campbell, Executive Director

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

GOAL 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.

GOAL 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to providing the public with a transparent permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

Joe Garrison, Chair
Moore County Planning Board

Date

Moore County Planning Board
Land Use Plan Consistency Statement
Text Amendment - Unified Development Ordinance

The Moore County Planning Board finds that:

1. The text amendment request is not consistent with the 2013 Moore County Land Use Plan.
2. The proposed text amendment is not reasonable and not in the public interest because the proposed amendment will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendments to the Unified Development Ordinance, as proposed.

Joe Garrison, Chair
Moore County Planning Board

Date